

### III. REMARKS

1. Claims 1, 6 and 11 are amended.

2. Claims 1, 2, 4-7, 9-12 and 14-19 are patentable under 35 U.S.C. 103(a) over Wu (U.S. Pub. No. 2006/0165465) and Humphrey et al. (US 2003/0143961, hereinafter "Humphrey"). Claim 1 recites that the bendable elastomeric keymat is configured so that an entirety of the bendable elastomeric keymat bends to outwardly force the lips toward the rim of the recess and into the plurality of indentations on the cover to attach the edges of the keymat to the cover and said indentations are located at edges of the recess for removably mounting said keymat, the cover also includes a plurality of locking parts extending from an interior surface of the recess adjacent the indentations so that the plurality of locking parts interface with the lips of the keymat and, along with the elastic properties of the keymat, force the lips of the keymat into the indentations of the cover.

The above-noted features of Applicant's claim 1 are not disclosed or suggested by Wu for the reasons described in Applicant's prior responses. In particular, as admitted by the Examiner, Wu fails to disclose that "the keymat is elastomeric, and is configured so that an entirety of the bendable elastomeric keymat bends and a plurality of locking parts extending from the cover adjacent the indentations that, along with the elastic properties of the keymat, force the lips of the keymat into the indentations." (See the sentence bridging pages 3 and 4 of the office action dated 20 July 2009).

The Examiner cites to Humphrey for remedying the above noted defect of Wu. While Humphrey discloses that the primary cover 250 is preferably made of an elastomeric material (Para. 31) it is noted that the primary cover 250 in Humphrey is dimensioned so as to fit snugly over the internal assembly (Para. 37). Humphrey specifically recites "[i]f the internal length dimension of cover 250 (see FIG. 5), for example, is slightly small than the external length dimension of the internal assembly 700, then a slight

extension of cover 250 may be used to install the internal assembly, which will then be 'grabbed' by cover 250 when it is released." (Para. 37). As such, the primary cover in Humphrey is stretched over the internal assembly 700. Therefore, Humphrey cannot disclose or suggest that the bendable elastomeric keymat is configured so that an entirety of the bendable elastomeric keymat bends to outwardly force the lips toward the rim of the recess as recited by Applicant.

It is further noted that the stretching of the primary cover 250 in Humphrey for installation over the internal assembly 700 is directly contrary to what is disclosed in Wu. The Examiner is respectfully reminded that "[a] prior art reference must be considered in its entirety, i.e., as a whole, including portions that would lead away from the claimed invention." MPEP § 2141.02 quoting *W.L. Gore & Associates, Inc. v. Garlock, Inc.*, 721 F.2d 1540, 220 USPQ 303 (Fed. Cir. 1983), *cert. denied*, 469 U.S. 851 (1984). Wu merely discloses a rigid key module having tabs 25 extending from the sides of the key module such that the tabs 25 snap into grooves 26 for securing modules 11 and 12 together (Para. 76). At best if Wu and Humphrey were combined the result would be nothing more than the key module 12 of Wu having elastic edges (as in Humphrey) that are stretched over the base module 11 for securing the key module 12 to the base module 11. The combination of Wu and Humphrey simply does not disclose or suggest the bendable elastomeric keymat is configured so that an entirety of the bendable elastomeric keymat bends to outwardly force the lips toward the rim of the recess.

In addition, Humphrey does not disclose or suggest the cover also includes a plurality of locking parts extending from an interior surface of the recess adjacent the indentations so that the plurality of locking parts interface with the lips of the keymat and, along with the elastic properties of the keymat, force the lips of the keymat into the indentations of the cover as suggested in the office action.

Paragraph 36 of Humphrey recites in its entirety,

Outer band 270 is an optional device that is both functional and decorative in nature. It is preferably made from an elastomeric material and extends continuously around mobile station 200. Outer band 270 may be any thickness, but preferably adds no more than ten millimeters to the overall width or thickness dimensions of mobile station 200. In the embodiment illustrated in FIG. 2, outer band 270 forms display opening 272 such that the raised perimeter 233 defining window pane 232 also extends through it. Outer band 270 also forms opening 274 so that function key 216 is accessible to the user even when outer band 270 is in place. Note that FIG. 2 illustrates a preferred location for outer band 270, but it could be placed in other locations along the length of mobile station 200 as well, with appropriately formed openings. In addition, it could also extend in a different orientation, such as from end to end, and depending on the shape and design of mobile station 200 itself, it may be desirable to do so. And although outer band 270 is preferably a continuous band of elastomeric material, it could also include a first end and a second end having fastening means such as a snap, tab and slit, button, fabric hook and eye, or zipper for connecting the ends when wrapped around mobile station 200. An isometric view of outer band 270 (only) is presented in FIG. 13.

One can only assume (as nothing more than a paragraph number was cited in the office action) that the Examiner is equating the outer band 270 and fastening means of Humphrey respectively with the cover and locking parts recited in Applicant's claim 1. However, as can be seen above, Paragraph 36 of Humphrey describes that the outer band 270 has a first end and a second end that are fastened together where the outer band 270 extends continuously around mobile station 200. Nowhere in Paragraph 36, nor anywhere else, does Humphrey disclose or suggest that the "fastening means" interface with the lips of the keymat and, along with the elastic properties of the keymat, force the lips of the keymat into the indentations of the cover as suggested in the office action. It is noted that the outer band 270 in Humphrey extends around (e.g. on top of) the primary cover 250 and thus cannot be equated to the cover claimed by Applicant. In addition, Paragraph 47 of Humphrey describes interaction between the groove 510 and the corresponding extension tab (not shown) where the groove 510 is formed along the interior face 506 of the right side wall 306 (a similar groove is formed on the left side wall 304 as well). In Humphrey the side walls 304 and 306 are forced

outward by the corresponding extension tabs during installation of the internal assembly 700 and the extension and grooves are positioned such that they are aligned when internal assembly 700 is fully in place. By elastomeric rebound the communication is then accomplished. (Para. 47). There is no "interface" between the fastening means and groove 510 disclosed or suggested in Humphrey. Thus, the "fastening means" in Paragraph 36 cannot reasonably be considered "locking parts" as claimed by Applicant.

Therefore, claim 1 is patentable over the combination of Wu and Humphrey for the above-described reasons. The above arguments apply equally to claims 6, 11 and 17. Thus, claims 6, 11 and 17 are also patentable over Wu and Humphrey. Claims 2, 4, 5, 7, 9, 10, 12, 14-16, 18 and 19 are patentable at least by reason of their respective dependencies.

3. Claims 3, 8, 13, 18 and 19 are patentable under 35 U.S.C. 103(a) over Wu, Humphrey and Kfoury et al., U.S. Pub. No. 2003/0119543 ("Kfoury"). Claims 3, 8, 13, 18 and 19 depend from claims 1, 6, 11 and 17, which are patentable over the combination of Wu and Humphrey for the reasons described above. It is submitted that because the combination of Wu and Humphrey does not disclose or suggest all the features of claims 1, 6, 11 and 17, that the combination of Wu, Humphrey and Kfoury cannot as well. It is noted that Kfoury merely discloses a rigid input module 200 with rails 416, 418 that are received in grooves 412, 414 when the input module 200 is slid into the cavity 402 (Para. 0032). Thus, claims 3, 8, 13, 18 and 19 are patentable at least by reason of their respective dependencies.

Moreover, Applicant's claim 3 recites the guiding pieces are arranged in direct connection to one or more of said plurality of lips. The Examiner acknowledges that Wu and Humphrey do not disclose this feature. However, it is asserted in the Office Action that Kfoury discloses this feature in Figures 4 and 5 and at paragraphs [0032]-[0033].

Figures 4 and 5 and paragraphs [0032]-[0033] of Kfoury disclose exactly the same thing as Wu in that the input module (200) of Kfoury has left and right rails (418, 416) which engage groove (414) when the input module is inserted into the cavity (402). Wu discloses in Fig. 4 that the key module (112) has two opposite side edges (113) for sliding engagement with opposing guide rails (114) formed in an inward rim (115) of the bay (111). When the opposite side edges (113) and opposing guide rails (114) of Wu are compared with the left and right rails (418, 416) and groove (414) of Kfoury it is clear that these features are identical. In both Wu and Kfoury the rails and grooves allow for the rigid input module (200) of Kfoury and the rigid key module (112) of Wu to be slid into the respective keycap bay (111) and cavity (402) from a side of the device and nothing more. There is absolutely no disclosure whatsoever that the opposite side edges (113) and opposing guide rails (114) of Wu or the left and right rails (418, 416) and groove (414) of Kfoury "are arranged in direct connection to one or more of said plurality of lips" as recited in Applicant's claim 3.

Therefore, claim 3 is patentable over the combination of Wu, Humphrey and Kfoury because their combination does not disclose or suggest that the guiding pieces are arranged in direct connection to one or more of said plurality of lips as recited in Applicant's claim 3. Claims 8 and 13 are patentable over the combination of Wu and Kfoury for reasons that are substantially similar to those described above with respect to claim 3.

For all of the foregoing reasons, it is respectfully submitted that all of the claims now present in the application are clearly novel and patentable over the prior art of record, and are in proper form for allowance. Accordingly, favorable reconsideration and allowance is respectfully requested. Should any unresolved issues remain, the Examiner is invited to call Applicants' attorney at the telephone number indicated below.

The Commissioner is hereby authorized to charge payment for any fees associated with this communication or credit any over payment to Deposit Account No. 16-1350.

Respectfully submitted,



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